



SIEMENS CORPORATION  
INTELLECTUAL PROPERTY DEPARTMENT  
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**JUN 22 2007**

**OFFICE OF PETITIONS**

In re Application of  
Paul D. Perry et al.  
Application No. 10/821,179  
Filed: April 9, 2004  
Attorney Docket No. 2004P05545US

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:  
: **DECISION ON PETITION**  
: **UNDER 37 CFR 1.78(a)(3)**  
:

This is a decision on the petition filed February 21, 2007, under 37 CFR 1.78(a)(3) to accept an unintentionally delayed claim under 35 U.S.C. § 120 for the benefit of prior-filed non-provisional applications set forth in the amendment filed with the petition.

The petition is **GRANTED**.

A petition for acceptance of a claim for late priority under 37 CFR 1.78(a)(3) is only applicable to those applications filed on or after November 29, 2000. Further, the petition is appropriate only after the expiration of the period specified in 37 CFR 1.78(a)(2)(ii). In addition, the petition under 37 CFR 1.78(a)(3) must be accompanied by:

- (1) the reference required by 35 U.S.C. § 120 and 37 CFR 1.78(a)(2)(i) of the prior-filed application, unless previously submitted;
- (2) the surcharge set forth in § 1.17(t); and
- (3) a statement that the entire delay between the date the claim was due under 37 CFR 1.78(a)(2)(ii) and the date the claim was filed was unintentional. The Director may require additional information where there is a question whether the delay was unintentional.

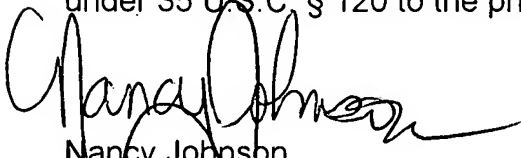
All of the above requirements having been satisfied, the late claim for priority under 35 U.S.C. § 120 is accepted as being unintentionally delayed.

**The granting of the petition to accept the delayed benefit claim to the prior-filed applications under 37 CFR 1.78(a)(3) should not be construed as meaning that this application is entitled to the benefit of the prior-filed applications. In order for this application to be entitled to the benefit of the prior-filed applications, all other requirements under 35 U.S.C. § 120 and 37 CFR 1.78(a)(1) and (a)(2) must be met. Similarly, the fact that the corrected Filing Receipt accompanying this decision on petition includes the prior-filed applications should not be construed as meaning that applicant is entitled to the claim for benefit of priority to the prior-filed applications noted thereon. Accordingly, the examiner will, in due course, consider this benefit claim and determine whether the application is entitled to the benefit of the earlier filing date.**

A corrected Filing Receipt, which includes the priority claim to the prior-filed nonprovisional applications, accompanies this decision on petition.

Any inquiries concerning this decision may be directed to Senior Petitions Attorney Patricia Faison-Ball at (571) 272-3212. All other inquiries concerning either the examination procedures or status of the application should be directed to the Technology Center.

This application is being forwarded to Technology Center Art Unit 3753 for consideration by the examiner of applicant's entitlement to claim benefit of priority under 35 U.S.C. § 120 to the prior-filed applications.

  
Nancy Johnson  
Senior Petitions Attorney  
Office of Petitions

ATTACHMENT: Corrected Filing Receipt



## UNITED STATES PATENT AND TRADEMARK OFFICE

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| APPL NO.   | FILING OR 371(c)<br>DATE | ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO | TOT CLMS | IND CLMS |
|------------|--------------------------|----------|---------------|-----------------|----------|----------|
| 10/821,179 | 04/09/2004               | 3753     | 900           | 2004P05545US    | 18       | 2        |

CONFIRMATION NO. 8412

## CORRECTED FILING RECEIPT



\*OC000000024490025\*

SIEMENS CORPORATION  
 INTELLECTUAL PROPERTY DEPARTMENT  
 170 WOOD AVENUE SOUTH  
 ISELIN, NJ 08830

Date Mailed: 06/22/2007

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

## Applicant(s)

Paul D. Perry, Chatham, CANADA;  
 Andre Veinotte, Dresden, CANADA;

**Power of Attorney:** The patent practitioners associated with Customer Number 028524.

## Domestic Priority data as claimed by applicant

This application is a CIP of 10/817,521 04/05/2004 ABN  
 which claims benefit of 60/460,510 04/04/2003  
 and claims benefit of 60/547,602 02/25/2004  
 and claims benefit of 60/547,829 02/26/2004  
 and claims benefit of 60/548,813 02/27/2004  
 and is a CIP of 10/817,522 04/05/2004 PAT 6,889,669  
 which claims benefit of 60/460,510 04/04/2003  
 and claims benefit of 60/547,602 02/25/2004  
 and claims benefit of 60/547,829 02/26/2004  
 and claims benefit of 60/548,813 02/27/2004

## Foreign Applications

**If Required, Foreign Filing License Granted:** 06/21/2004

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/821,179**

**Projected Publication Date:** Request for Non-Publication Acknowledged

**Non-Publication Request:** Yes

**Early Publication Request:** No

**Title**

HOUSING FOR A LIQUID SEAL VACUUM AND PRESSURE RELIEF VALVE

**Preliminary Class**

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## **PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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